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Advice From Publius

Attorney General John Mitchell and Richard Helms, director of the Central Intelligence Agency, recently argued that they could be trusted with broad powers to oversee citizens because they are, after all, honorable men. Such powers would include the right to wiretap in national security cases without the court approval normally required in other situations.

Without questioning the honor of either man, we commented that their assurances were less than iron-clad guarantees that all would be well for all time to come. They pose, in fact, the sort of question that a gentleman named Publius discussed nearly two centuries ago.

Publius, of course, was not one man but an informal committee. Using that name Alexander Hamilton, John Jay and James Madison wrote a series of 85 essays explaining the newly proposed U.S. Constitution and striving to persuade citizens of its virtues.

In the 51st of these Federalist Papers, Publius was discussing the need for devices to curb abuses of governmental powers: "It may be a reflection on human nature that such devices should be necessary. . . . But what is government itself but the greatest of all reflections on human nature?

"If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary.

"In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions"

Mankind has amassed a great deal more experience since Publius' time. All of it still suggests that, no matter how honorable the men currently in power, it's still wise to look to those auxiliary precautions.

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REVIEW and OUTLOOK

Accountability and Arrogance

Why does Attorney General Mitchell continue to insist that he has the right to eavesdrop on U.S. citizens in national security cases without the court approval normally required in other eavesdropping situations? Doesn't he see the risks inherent in such a policy to democratic traditions, whatever the practical considerations?

The answer to this disturbing question, so far as we can determine from Mr. Mitchell's aides, is not very reassuring. The Attorney General apparently believes that his doctrine of unaccountable power does not pose a threat to democracy simply because he believes himself to be an honorable man, a lawyer with the deepest respect for his country and its traditions. Why can't we accept his good will as insurance enough against the possible misuse of powers granted to him?

More disturbing still, this somewhat naive idea seems to be spreading, and to other powerful men who also should know better. For example, in a rare public speech recently, Richard Helms, director of the Central Intelligence Agency, declared truly enough that intelligence is vital to our defense, but he added that if the machinations of modern intelligence work seem to create the potential for undermining democratic traditions, the nation would just have to "take it on faith that we too are honorable men devoted to (the nation's) service."

Now it is not enough to call these statements naive, though that is obvious enough: Honor and good intentions are not the same as intelligence, understanding or even sanity. History is littered with the unfortunate acts of the stupid, the ignorant and the mad who abused their powers wretchedly in pursuit of goals which seemed honorable to them.

That men like the Attorney General and the director of the CIA should be tempted to such thoughts, however, should be seen in a deeper light. It is a great insight of the past few years that modern changes in the world, and especially advances in technology, have given men powers which tax their humanity. Science in effect has outdated the rules by which we have traditionally conducted our affairs. Leaders who must use the new powers find themselves faced with staggering moral dilemmas no man should have to resolve.

A notable example of such change is nuclear weaponry, which makes it possible for one man to destroy all of human civilization. What is worth the use of such power? But more recently, as Mr. Anderson notes in an article on this page, it is becoming clear that advances in communications technology are giving men powers which, perhaps more subtly, tax their humanity too.

This has serious implications for a powerful state that is also a democracy, a form of government that gives high value to the humanity of all its citizens and the morality of its role in the world. For the logic of giving more and more men in a democracy powers too great for any human being to wield with the wisdom necessary to their use implies, inevitably, the decline of these values.

As the technologies grow more pervasive, then, men in power should take with utmost seriousness their own attitudes in using them. Ultimately the new powers require a kind of humility in their masters, an understanding that they may not be aware of all the implications of what they do, a willingness to seek the advice of others in exercising their power, a ready acceptance of review by the objective and the informed.

Now we have no doubt that for Mr. Mitchell and Mr. Helms to accept this notion fully and act on it would complicate their lives tremendously. But at the same time we think it imperative that the idea at least be better understood: The modern world makes the idea of accountability for power in a democracy more important than ever, however upstanding the people who use it. To ignore this idea is at best remarkably shortsighted; at worst it involves an arrogance no free society can afford for long.